

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:16-cv-00454-RJC
(3:06-cr-00006-RJC-1)

JIMMY ALONZO WRIGHT,)
Petitioner,)
v.) **ORDER**
UNITED STATES OF AMERICA,)
Respondent.)

THIS MATTER is before the Court on consideration of the Respondent's motion to stay disposition of this collateral proceeding. (Doc. No. 4).

Respondent moves for a 60-day extension from the date the Fourth Circuit decides United States v. Ali, No. 15-4433 (4th Cir.) or United States v. Simms, No. 15-4640 (4th Cir.), in order to file a response to Petitioner's § 2255 Motion to Vacate. Respondent contends that the issue before the Circuit court – whether robbery under the Hobbs Act – is a “crime of violence” under 18 U.S.C. § 924(c) following the Supreme Court’s decision in Johnson v. United States, 135 S. Ct. 2551 (2015), is relevant to Petitioner’s case.

Because issues involved in the Ali and Simms case are likely relevant to resolution of Petitioner’s case, and noting no objection from Petitioner, the Court will grant Respondent’s motion.

IT IS, THEREFORE, ORDERED that Respondent’s motion to stay is **GRANTED**, (Doc. No. 4), and Respondent shall have 60-days from the date the Circuit court renders its decision in United States v. Ali or United States v. Simms in order to file a response to

Petitioner's § 2255 Motion to Vacate. Petitioner may file a reply consistent with the Local Rules for this District.

SO ORDERED.

Signed: August 16, 2016



Robert J. Conrad, Jr.
United States District Judge

